

BEFORE THE OFFICE OF THE COMMISSIONER OF RAILROADS

STATE OF WISCONSIN

Application of General Motors Corp. for an  
Exemption from the Railroad Track Clearance  
Law of Structures in the City of Janesville, Rock County

9040-RV-1182

NOTICE OF INVESTIGATION  
FINDINGS OF FACT AND ORDER

On March 18, 2004, General Motors Corp. filed an application with the Office of the Commissioner of Railroads (Office) under section 192.31, Wis. Stats., and sections RR 2.15 and RR 2.16, Wis. Adm. Code, for an exemption from the railroad track clearance laws of structures located at 1000 General Motors Drive in the city of Janesville, Rock County. The petitioner proposes the construction of a conveyor with a vertical clearance of 17 feet 11 inches.

Findings of Fact

THE COMMISSIONER FINDS:

General Motors Corp. operates an automotive manufacturing facility at the location. The petitioner proposes the construction of an overhead delivery conveyor that would provide a minimum vertical clearance of 17 feet 11 inches for two parallel rail spurs. The horizontal clearance from track centerline will remain unchanged.

The spurs are served by the Union Pacific Railroad. The volume of cars per month is 288 standard box cars. The industry is usually switched between 4 am and 4 pm. The tracks are tangent in the area of the limited clearance. There are no other industries on the spur. Illumination is provided by general site lighting. There will be a "no clearance" sign posted in advance of the structure. The installation of a telltale at this location would be impractical. The petitioner and railroad have a signed stipulation as to the vertical clearance on file with the Office.

Wisconsin law requires a minimum of 23 feet vertical clearance. The petitioner seeks exemption from this requirement.

Construction and maintenance of the door to the car unloading structure will not imperil life and limb, and the public interest permits such construction, subject to the conditions set forth in the following order.

Conclusion of Law

THE COMMISSIONER CONCLUDES:

That the Office has jurisdiction under section 192.31, Wis. Stats., and sections RR 2.15 and 2.16, Wis. Adm. Code, to grant the requested exemption, and such an appropriate order should be entered in accordance with the above Findings of Fact.

Order

THE COMMISSIONER THEREFORE ORDERS:

1. That an exemption from the railroad clearance and telltale requirements of section 192.31, Wis Stats., and sections RR 2.15 and RR 2.16, Wis Adm. Code, is hereby granted with respect to the door for the overhead delivery conveyor, subject to the condition that General Motors Corp. maintain a "No Clearance" sign on the approach to the structure.
2. That the clearance authorized, subject to the condition in paragraph 1, is a minimum vertical clearance of 17 feet 11 inches from top of rail to the door.
3. That jurisdiction is retained.

Dated at Madison, Wisconsin\_\_\_\_\_

By the Office of the Commissioner of Railroads

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Rodney W. Kreunen, Commissioner